



STATE OF WISCONSIN

Assembly Journal

One-Hundredth Regular Session

WEDNESDAY, December 7, 2011

The Chief Clerk makes the following entries under the above date:

AMENDMENTS OFFERED

Assembly amendment 1 to **Assembly Bill 419** offered by Representative Kramer.

Assembly substitute amendment 1 to **Assembly Bill 421** offered by Representative Mursau.

INTRODUCTION AND REFERENCE OF PROPOSALS

Read first time and referred:

Assembly Joint Resolution 82

Relating to: renaming the decorated tree on display in the capitol rotunda during the Christmas season as the State of Wisconsin Christmas Tree.

By Representatives Steineke, August, Bernier, Craig, Endsley, Jacque, Kapenga, Kestell, Knilans, Krug, Kuglitsch, LeMahieu, Litjens, A. Ott, Petersen, Pridemore, Ripp, Spanbauer, Strachota, Thiesfeldt, Van Roy and Stroebel; cosponsored by Senators Lasee and Galloway.

To committee on **Homeland Security and State Affairs**.

Assembly Bill 405

Relating to: making fourth offense operating while intoxicated a felony and providing a penalty.

By Representatives Staskunas, J. Ott, Jacque, Kerkman, Zepnick, Berceau, Bernard Schaber, Steinbrink and Richards; cosponsored by Senators Carpenter and S. Coggs.

To committee on **Transportation**.

Assembly Bill 406

Relating to: going armed with a handgun on the premises of a gas station, theft from a gas station, causing damage to a gas station, and providing a penalty.

By Representatives Zepnick and Sinicki.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 407

Relating to: creating an individual income tax deduction for certain amounts paid for sewer, water, and garbage collection fees.

By Representatives Zepnick, D. Cullen, Fields and Spanbauer; cosponsored by Senators Carpenter and Lazich.

To committee on **Ways and Means**.

Assembly Bill 408

Relating to: eliminating ambulatory surgical center assessment.

By Representatives Stone, Ziegelbauer, Spanbauer, Kapenga, Meyer, Endsley, Krug, Litjens and Kaufert; cosponsored by Senators Galloway, Moulton, Vukmir, Leibham, Lazich and Grothman.

To committee on **Health**.

Assembly Bill 409

Relating to: notice of eligibility and benefit changes in Medical Assistance.

By Representatives Pasch, Richards, Bernard Schaber, Staskunas, Hebl, Grigsby, Berceau, Hintz, Molepske Jr, Seidel, Bewley, Zepnick, Steinbrink, Kessler, C. Taylor, Turner and Young; cosponsored by Senators Vinehout, Taylor, Carpenter, Holperin, Wirch, C. Larson, Shilling, S. Coggs, Lassa and Hansen.

To committee on **Health**.

Assembly Bill 410

Relating to: sobriety checkpoints and granting rule-making authority.

By Representative Zepnick.

To committee on **Transportation**.

Assembly Bill 411

Relating to: impounding vehicles used in certain drunken driving offenses and providing a penalty.

By Representatives Zepnick, Staskunas, A. Ott and Berceau; cosponsored by Senator S. Coggs.

To committee on **Transportation**.

Assembly Bill 412

Relating to: requiring the Department of Workforce Development to notify the local workforce development board when a claimant applies for unemployment insurance benefits.

By Representatives Sinicki, Barca, Berceau, Bernard Schaber, E. Coggs, Fields, Molepske Jr, Pasch, Pocan,

Spanbauer, Toles and Turner; cosponsored by Senators Holperin, Taylor, C. Larson and Lassa.

To committee on **Labor and Workforce Development**.

Assembly Bill 413

Relating to: training requirements for licenses to carry a concealed weapon.

By joint committee for review of Administrative Rules.

To committee on **Judiciary and Ethics**.

Assembly Bill 414

Relating to: foreclosure on abandoned properties.

By Representatives Fields, Marklein, Spanbauer, Mason, Staskunas, Stroebel, Zepnick and Stone; cosponsored by Senators Grothman, Taylor and Carpenter.

To committee on **Financial Institutions**.

Assembly Bill 415

Relating to: use of law enforcement or juvenile court records to take disciplinary action against a pupil under a school district's athletic code.

By Representative Kestell; cosponsored by Senator Olsen.

To committee on **Education**.

Assembly Bill 416

Relating to: collection of money owed for failure to pay for gasoline or diesel fuel and obtaining information for personal identifiers from the Department of Transportation.

By Representatives Ballweg, Bernier, Brooks, Jacque, Kestell, Marklein, Ripp, Spanbauer, Van Roy and Wynn; cosponsored by Senators Olsen, Galloway and Holperin.

To committee on **Transportation**.

Assembly Bill 417

Relating to: procedures for establishing a claim (suggested as remedial legislation by the Office of the State Treasurer).

By Representative Kramer; cosponsored by Senator Grothman.

To committee on **Judiciary and Ethics**.

Assembly Bill 418

Relating to: agreements to locate unclaimed property reported to the state treasurer.

By Representative Kramer; cosponsored by Senator Grothman.

To committee on **Homeland Security and State Affairs**.

Assembly Bill 419

Relating to: interest due on property determined to be abandoned and due to be paid or delivered to the state treasurer.

By Representative Kramer; cosponsored by Senator Grothman.

To committee on **Homeland Security and State Affairs**.

Assembly Bill 420

Relating to: providing alcohol beverages to an underage person who suffers great bodily harm or death from their consumption and providing a penalty.

By Representatives Bies, Berceau, Jacque, Kerkman, A. Ott, Petryk, Spanbauer, Staskunas, Thiesfeldt and Zepnick; cosponsored by Senator Darling.

To committee on **Criminal Justice and Corrections**.

Assembly Bill 421

Relating to: the issuance of, and exemptions from, certain individual permits, contracts, and general permits for structures, deposits, and other activities in or near navigable waters; areas of significant scientific value that are areas of special natural resource interest; repair and maintenance of boathouses and fixed houseboats; information required to be published on the Department of Natural Resources Internet Web site; expedited procedures for certain plan approvals; deadlines for action on certain approval applications; and granting rule-making authority.

By Representative Mursau; cosponsored by Senator Kedzie.

To committee on **Natural Resources**.

COMMITTEE REPORTS

The committee on **Labor and Workforce Development** reports and recommends:

Assembly Bill 286

Relating to: permitting an employer to refuse to employ or to bar or terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony and preempting cities, villages, towns, and counties from adopting provisions concerning employment discrimination based on arrest or conviction record that prohibit activity that is allowed under the state fair employment law.

Passage:

Ayes: 6 – Representatives Ballweg, Kapenga, Nass, Honadel, Kuglitsch and Litjens.

Noes: 3 – Representatives Sinicki, Toles and C. Taylor.

To committee on **Rules**.

JOAN BALLWEG

Chairperson

Committee on Labor and Workforce
Development

REFERENCE BUREAU CORRECTIONS

Assembly Bill 402

1. Page 19, line 5: delete “(ow)” and substitute “(cw)”.

1. Page 20, line 6: delete that line.
2. Page 20, line 7: delete “(1)” and substitute “(2) BOARD.”.
3. Page 20, line 13: delete “(2)” and substitute “(3) RULES DEADLINE.”.

December 7, 2011

Patrick Fuller
 Assembly Chief Clerk
 17 West Main Street, Suite 401
 Madison, WI 53703

Dear Chief Clerk Fuller:

Please remove my name as a co-sponsor of Assembly Bill 249, relating to privileged communications to a school guidance counselor, school teacher, or teacher’s aide.

Sincerely,
LENA TAYLOR
 State Senator
 4th Senate District

EXECUTIVE COMMUNICATIONS

State of Wisconsin
 Office of the Governor
 Madison

December 7, 2011

To the Honorable Members of the Assembly:

The following bills, originating in the Assembly, have been approved, signed and deposited in the office of the Secretary of State:

<u>Bill Number</u>	<u>Act Number</u>	<u>Date Approved</u>
Assembly Bill 1	88	December 6, 2011
Assembly Bill 300	90	December 7, 2011
Assembly Bill 69	94	December 7, 2011
Assembly Bill 48	95	December 7, 2011
Assembly Bill 60	96	December 7, 2011
Assembly Bill 63	97	December 7, 2011
Assembly Bill 81	98	December 7, 2011
Assembly Bill 103	99	December 7, 2011
Assembly Bill 245	100	December 7, 2011
Assembly Bill 274	101	December 7, 2011

Respectfully submitted,
SCOTT WALKER
 Governor

COMMUNICATIONS

December 6, 2011

Patrick Fuller
 Assembly Chief Clerk
 17 West Main Street, Suite 401
 Madison, WI 53703

Dear Chief Clerk Fuller:

Please add my name as a co-author of Assembly Bill 151, relating to copayments, deductibles, or coinsurance for oral chemotherapy and injected or intravenous chemotherapy.

Sincerely,
AMY LOUDENBECK
 State Representative
 45th Assembly District

AGENCY REPORTS

State of Wisconsin
 Legislative Audit Bureau
 Madison

December 7, 2011

To the Honorable, the Assembly:

At the request of the Joint Legislative Audit Committee, we have completed an evaluation of Focus on Energy, which provides energy-efficiency and renewable resource programs to utility customers statewide. Investor-owned electric and natural gas utilities, as well as municipal electric utilities and retail electric cooperatives, contributed \$96.9 million in 2010 to fund Focus on Energy. Investor-owned utilities contract for the administration of Focus on Energy with the approval of the Public Service Commission (PSC).

By statute, utilities recover Focus on Energy contributions from their customers. In 2010, Focus on Energy contributions recovered from average residential customers of the largest investor-owned utilities generally ranged from \$0.86 to \$1.16 per month for electricity and from \$0.56 to \$0.69 per month for natural gas. However, payments made by non-residential customers of different utilities varied significantly. The PSC submitted a statutorily required plan in 2008 to ensure more equitable collection of funds, which has not been acted on by the Legislature.

In 2010, non-residential customers received more than \$33.4 million in incentives for energy-efficient products and services, and residential customers received \$16.2 million. An additional \$9.0 million in incentives supported renewable energy projects. We estimate that incentives were paid to more than 78,000 unique customers in 2010, and that more than 385,000 customers benefitted from incentives paid to retailers to reduce the price of compact fluorescent light bulbs and other energy-efficient lighting products.

Analyses completed under contract with the PSC have concluded societal benefits generated by Focus on Energy are more than twice as great as the associated costs. We found that evaluators use analytical approaches that are consistent with

national standards and analyses in other states, and apply relatively conservative methods to estimate the value of program benefits. Given concerns regarding Focus on Energy's cost-effectiveness and effects on customers, we include recommendations for the PSC to improve the quality of program information available to the Legislature and the public.

We appreciate the courtesy and cooperation extended to us by

the PSC, utility representatives, and the private contractors involved in Focus on Energy. The PSC's response follows the appendices.

Respectfully submitted,
JOE CHRISMAN
State Auditor